IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

C.W.P. No. 1578 of 2007

Date of Decision : 01.02.2007

Ankur Bains ... Petitioner

Versus

Punjab Engineering College and another. .. Respondents

CORAM : HON'BLE MR. JUSTICE J.S. KHEHAR,
HON'BLE MR. JUSTICE S.D. ANAND.

Present : Mr. Vikram Aggarwal, Advocate,
for the petitioner.

J.S. Khehar, J. (Oral)

The petitioner was admitted to the B.E. (Production) Programme at the Punjab Engineering College, Chandigarh. During the course of his academic career, the petitioner was required to maintain an appropriate academic standard, in case, a candidate admitted to the Punjab Engineering College, Chandigarh does not perform, as required, his continuation in the programme can be terminated. Provision in this respect has been recorded in the students' handbook issued by the Punjab Engineering College, Chandigarh. Relevant part thereof is being extracted hereunder:-

"8. INADEQUATE ACADEMIC PERFORMANCE

8.1 ACADEMIC PROBATION:

The academic performance of each undergraduate student is reviewed at the end of a regular semester and is considered inadequate if his/her CGPA5.0 and the number of cumulative earned credits in the semester are less than 15. Such a student is termed as `Academically Deficient' and is put on `Academic

Probation'. A letter of `Warning' is issued to the student and a copy of the letter is sent to Guardian/Parents. In the next regular semester such a student is permitted to take reduced load by one or two courses but is required to obtain an SGPA4.5, and the earned credits in that semester should be greater than 15. A student continues on academic probation as long as his CGPA is less than 5.0.

8.2 TERMINATION OF THE PROGRAMME:

The undergraduate programme of a student may be terminated by the Senate if he/she:

a) is on `Academic Probation' and does not meet the conditions of probation, i.e., his SGPA<4.5, and/or the earned credits in that semester is less than 15.

b) is absent without authorized leave of absence for more than eight weeks and does not appear in the end-semester examination of the courses in which he/she is registered.

c) Involves himself/herself, in violation of the code of conduct, in ragging, etc. and the appropriate committee of the Senate makes a recommendation to that effect.

d) Fails to complete the programme within the maximum duration prescribed."

The petitioner could not earn the required CGPA as also had less than the prescribed number of credits during the course of the first academic session. He was, therefore, put on academic probation on account of his academic deficiency. Despite his inability to earn the required credits, as also CGPA whilst his academic career should have come to an end, he

was afforded one further opportunity by the Senate, as is apparent from the communication dated 26.06.2006 (Annexure P-10). Despite the extra chance granted to the petitioner, in addition to the provision extracted herein above, the petitioner again did not make the grade. It is, therefore, that his admission to the B.E. Programme has been terminated by the impugned order dated 29.12.2006. It is the vehement contention of the learned counsel for the petitioner, that if the petitioner is granted just one further opportunity to earn the credits as also the CGPA, he would definitely make the grade and the requirements indicated in the students' handbook issued by the Punjab Engineering College, Chandigarh.

It is not possible for us to accept the aforesaid contention of the learned counsel for the petitioner. Although, the petitioner's academic career should have been terminated on the conclusion of the second semester, yet he was given one further opportunity by the Punjab Engineering College, Chandigarh to earn the required grades through a communication dated 26.06.2006. He having not been able to make the grade, there is no choice with us but to accept the validity of the impugned order dated 29.12.2006.

Dismissed.

(J.S. Khehar)
Judge

February 01, 2007 (S.D. Anand)
vkd Judge